

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO.: 5:06CV20**

BERNICE MCCURDY,)	
)	
Plaintiff,)	
)	<u>ORDER</u>
vs.)	
)	
JANE PLAUGHER, CINDY EVERHART,)	
KAREN CLIFTON, JOAN SHEW,)	
BETSY LANE, DEBBIE COCKMAN, and)	
PAUL FREEMAN,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court on a Complaint filed by Plaintiff *pro se*. On September 24, 2006, Defendants Jane Plaugher, Cindy Everhart, Joan Shew, and Betsy Lane (“the Wilkes County Defendants”) filed a Motion to Dismiss pursuant to Rule 4, Rule 8, Rule 12(b)(5), and Rule 12(b)(6) of the Federal Rules of Civil Procedure, seeking dismissal of the Complaint.

It appears that the Wilkes County Defendants may be entitled to a dismissal in this action as a matter of law. Therefore, the Plaintiff is directed to file a response as described below:

**TO THE PLAINTIFF, BERNICE MCCURDY, READ THE FOLLOWING VERY
CAREFULLY:**

Within fourteen (14) days of the date of entry of this Order, you are to file a brief written argument, opposing the Wilkes County Defendants’ memorandum supporting their Motion to Dismiss, or request an extension of the deadline.

You are hereby advised that you have fourteen (14) days from the filing of this Order in

which to file your response to the Motion to Dismiss. If you fail to respond to this Motion, the Court will proceed to decide the matter. A copy of the response must be served on all of the Defendants named in this matter, including but not limited to the Wilkes County Defendants, and a certificate of service must be filed with the Court showing that a copy has been sent to counsel for all of the Defendants named in this matter.

IT IS, THEREFORE, ORDERED that Plaintiff has fourteen (14) days from the filing of this Order in which to respond to the Wilkes County Defendants' Motion to Dismiss.

The Clerk is directed to certify copies of this Order to Plaintiff and counsel for all Defendants named in this matter. The Clerk is specifically directed to send Plaintiff's copy by **certified mail, return receipt requested**.

Signed: October 2, 2006



Richard L. Voorhees
United States District Judge

